

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**WILLIE J. HUDSON,**

**Plaintiff,**

**v.**

**Case No. 06-C-1245**

**JOANNE BARNHART,  
Commissioner of Social Security**

**Defendant.**

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**DECISION AND ORDER**

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Willie Hudson (“Hudson”) filed a complaint to review a final decision of the Commissioner of Social Security that denied Hudson’s application for Disability Insurance Benefits and Supplemental Security Income. He also filed a petition to proceed *in forma pauperis* (“IFP”) because he alleges that he is unable to pay the \$350.00 filing fee.

The Court reviewed Hudson’s affidavit in support of his petition for IFP, and determines that Hudson is more than capable of paying the filing fee. Hudson reports that his monthly income is \$2393.00, and his monthly expenses are \$1902.00. Thus, he has nearly a \$500.00 surplus each month from which he could pay the \$350.00 filing fee. In addition, part of his monthly expense is a \$474.92 car payment to finance his new 2006 Chrysler PT Cruiser. Furthermore, Hudson is not married, nor does he have any legal dependants who he is responsible for supporting.

The Court finds, therefore, that Hudson's allegation that he is unable to pay the \$350.00 filing fee is untrue. Because the Court "shall dismiss the case at any time if the [C]ourt determines that . . . the allegation of poverty is untrue," 28 U.S.C. § 1915(e)(2)(A), Hudson's case is dismissed.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT:**

Hudson's Petition to Proceed *In Forma Pauperis* (Docket No. 2) is **DENIED**.

Hudson's Complaint is **DISMISSED**, without prejudice.

The clerk is directed to close this case and enter judgment accordingly.

Dated at Milwaukee, Wisconsin this 7th day of December, 2006.

**BY THE COURT**

s/ Rudolph T. Randa

**Hon. Rudolph T. Randa**  
**Chief Judge**